

Proposals to amend Approved Document B

Sprinklers in care homes, removal of national classifications, and second staircases in new residential buildings

NHF submission to the Department for Levelling Up, Housing and Communities consultation

17 March 2023

Introduction

The National Housing Federation (NHF) is the voice of housing associations in England. Our members provide homes for around six million people and are driven by a social purpose: providing good quality housing that people can afford. Housing associations also provide vital care, support and community services. We support our members to deliver their social purpose, with ambitious work that leads to positive change.

Housing associations' first priority is the safety of their residents and in recent years the sector has been working to urgently replace unsafe cladding, carry out in-depth safety checks and put in place interim safety measures where necessary to ensure resident safety. The NHF and our members are committed to doing everything we can to ensure a tragedy like the fire at Grenfell Tower can never happen again. We have welcomed the government's proposals for an overhaul of the building safety regulatory system and a more stringent higher-risk regime, and we contributed our expertise and experience to [Dame Hackitt's review](#) that set out the need for these.

We therefore welcome this consultation and are keen to do what we can to support the government to bring forward measures to make residential buildings in this country safer. For more information [contact Marie Chadwick](#), Supply Policy Leader.

We have actively engaged with our members on the questions raised in this consultation. Professionals implementing these proposals may be better placed to respond to individual questions, so we have focussed on the overarching themes that emerge from the consultation.

Sprinkler provision in new care homes

The NHF supports the government's proposals for a requirement for sprinklers in all new care homes, regardless of the height of the building, given the evidence provided of their benefit in a care home setting. As recognised in the consultation, many providers have already chosen to fit sprinklers into new buildings despite not yet being a regulatory requirement, but we think the clarity will further add to the confidence of residents and staff working in these buildings.

In relation to the standards proposed, we do not have the technical expertise to make a judgement on which would be most appropriate for sprinklers. This is also the case for proposals around removing the current allowances on fire doors and protection areas. However, we support the government's ambition to ensure new care homes are fit for purpose, particularly in terms of safety. Our members would appreciate guidance at the soonest opportunity so that they can incorporate the new standards into their design and business plans and so that local authorities who fund many of the places in care homes run by housing associations can factor any increased costs into funding plans.

Whilst not part of this consultation, we welcome the government's acknowledgement that a bespoke approach would be needed when it comes to sprinklers in existing buildings. The NHF is keen to feed into any further work in this area so that we can work with our members to understand the implications for residents and also their development programmes.

Removal of national classifications

The NHF agrees that the national classifications for describing construction products' reaction to fire and fire resistance should be removed from Approved Document B, and we agree with the government's rationale for doing so. We have no preferred option for a transition period.

Given the widespread failures of the testing regime for fire doors that has been uncovered in the last six years, we support measures that will help ensure that fire door testing standards can be relied upon in the future. The NHF and our members completely agree that the Approved Document should ensure fire door sets that meet requirements are used. Our members are deeply concerned that fire door manufacturers are not being held to account for the defective doors they produced, which leaves not-for-profit housing associations forced to cover the cost of replacing

them, the price of which, as the government suggests in the consultation, could be 50-100% greater than they have been previously.

Staircases in residential buildings

The NHF is supportive of a requirement to install second staircases in residential buildings above a certain height. However, we are not advocating a particular height threshold at which a second staircase should be required because this should be informed by expert analysis on the risks and benefits of each height. This is also the case for the question of what additional measures are needed to ensure sufficient separation between staircases.

However, the evidence in support of whatever height threshold the government ultimately requires a second staircase at should be clear and communicated widely. This is so that residents, lenders, insurers and other stakeholders can see a robust process behind any decisions taken on building safety measures and can be confident in the safety of the building. As a starting point, the consultation sets out that buildings 30m and above in height should be required to have a second staircase based on the fact that 30m is a recognised trigger of additional risks in buildings overall. We believe it would be valuable if the government made available the evidence supporting the decision for the provision of a second staircase at a 30m threshold. In addition, the consultation states that maximum heights for single staircases in other countries ranges from 18m to 75m, and that there is no standard international view on staircase provision. We believe it would be useful for insight into these countries' experience to be shared more widely too, including evidence and other risk mitigation measures that may have supported their decisions.

Housing associations' first priority is the safety of their residents which is why the sector has worked to remediate buildings with safety concerns and put in place interim safety measures where necessary to ensure resident safety. We believe that to support this work, as well as being clear on the evidence to support the height threshold, it is imperative that the government is also clear on the safety of those in existing buildings without a second staircase. Residents in existing multi-storey buildings have already experienced a huge amount of upheaval in recent years so it is important that the government proactively communicates with residents in buildings with single staircases to address any concerns from the outset. Alongside the impact on residents, the government must work with external stakeholders in order to avoid any potential further issues affecting building insurance, valuations and the like due to the absence of a second staircase in existing buildings.

It is clear from the engagement we have had with our members that clarity on second staircase requirements and thresholds is quickly needed once this consultation closes. Until new requirements are known, housing associations are unable to calculate the viability of future schemes, meaning that they can't take an informed decision around whether or not to proceed with them. A quick resolution would help housing associations to get the development of much-needed affordable homes progressing.

The NHF unequivocally supports the government's ambition to bring forward additional safety measures in new buildings.

It is clear that these measures will have a range of impacts on the delivery of new, much needed social housing, through potential viability issues arising from the addition of second staircases. We welcome the recognition of this in the consultation and we urge the government to ensure the delivery of social housing is maintained under the new rules.

Our [People in Housing Need report](#) found that in 2021 there were 8.5 million people in England in some form of housing need. For 4.2 million of these people, social rented housing is the tenure that best meets their needs. We would like to see further consideration of this impact so that we can solve the crisis in building safety, without further exacerbating the housing crisis. We would therefore like to work with the government to further explore interventions to support affordable housing supply when complying with the regulations, including additional grant or flexibilities in the Affordable Homes Programme.

The purpose and technical specifications of second staircases upon occupation also needs to be clarified, as it will affect the design and planning of buildings in scope.

Paragraph 10.6 and 10.7 – call for evidence

The NHF will not be submitting a view on this section of the consultation – we do not have the requisite expertise to comment.

Assessment of impacts

The NHF welcomes the government's consideration of evacuation for disabled and mobility-impaired residents when arriving at proposals around second staircases. As noted in the consultation there is an additional benefit of a second staircase to disabled and mobility-impaired residents, in terms of providing a refuge in an

emergency. We have been involved in discussions with the Home Office on evacuation policy to support disabled and mobility-impaired residents in the event of an emergency, including in multi-storey buildings of any height and buildings that do not have second staircases. We would welcome efforts to ensure these separate consultations are fully aligned.